

**Claims Listing:**

- 36.(NEW) A cell-scaffold composition prepared in vitro for growing cells to produce functional vascularized organ tissue in vivo, comprising:
- a porous three-dimensional scaffold composed of a biocompatible polymer and having generally interconnected pores of between approximately 100 and 300 microns in diameter throughout the scaffold and distribution channels molded into the scaffold as a means for introduction of parenchymal cells into the scaffold following implantation into a patient;
  - wherein the biocompatible polymer comprises a polyanhydride;
  - wherein the scaffold provides sufficient surface area to permit attachment of an amount of the cells effective to produce functional vascularized organ tissue in vivo;
  - wherein the scaffold is resistant to compression within the patient, thereby maintaining the pore size of the scaffold between approximately 100 and 300 microns; and
  - wherein the scaffold comprises growth factors.

**REMARKS**

**Summary of the Office Communication**

The Examiner has found that the amendment filed on June 24, 2003, is non-responsive because the all of the claims to the elected invention, the scaffolds of claims 1-20, were canceled and replaced by claims to a non-elected invention, the methods of claims 21-35.

Applicant addresses the above issue by canceling the claims directed to the non-elected subject matter and adding a new claim directed to the elected subject matter.

New Claim 36

New claim 36, is directed to a scaffold for producing a functional vascularized organ tissue. New claim 36 finds support in the specification at page 5, lines 9-30.

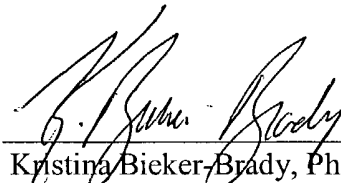
CONCLUSIONS

Applicants submit that the claims are now in condition for allowance, and such action is respectfully requested. Enclosed is a petition to extend the period for reply for five months, to and including March 24, 2004. If there are any additional charges, or any credits, please apply them to Deposit Account No. 03-2095.

Very truly yours,

Date:

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